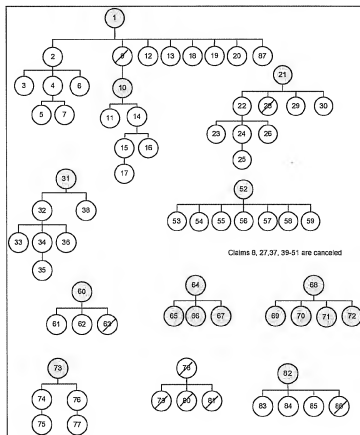


REMARKS

Below is a diagram illustrating the relationship among the pending claims 1-7, 10-26, 29-36, 38, 52-62, 64-77, 82-85 and 87. In this amendment, claims 9, 28, 63, 78-81 and 86 have been canceled. In the diagram, a diagonal line is drawn through each of the canceled claims. Claims 8, 27, 37 and 39-51 have been previously canceled. Remaining claims 1-7, 10-26, 29-36, 38, 52-62, 64-77, 82-85 and 87 were previously presented for examination. In this response to the Office action mailed March 28, 2007, claims 1, 10, 21, 31, 52, 60, 64-73 and 82 have been amended as explained hereinafter. The amended claims are shaded in the diagram.



Paragraph 2 - Corrected Drawings Requirement

Paragraph 2 of the Office action maintains the requirement that the drawings be "corrected" to include the legend "Prior Art" for drawing Figures 1-3, 21 and 22. According to the Office action, the label should be added because "only that which is old is illustrated." Contrary to the Office action's assertions, drawing Figures 1-3, 21 and 22 are not merely illustrations of the prior art and labels so indicating would be wrong or at least confusing. Figures 1-3, 21 and 22 are part of

the specification's description of a process for designing a body according to an embodiment of the invention.

The Office action assumes the drawings are to be considered in isolation and not in the context of the text that refers to them. Applicants contends this is an improper view of the drawings and an improper application of the guidance for labeling drawings set forth in M.P.E.P. § 608.02(g). When considered with the text referencing the drawings, the figures do not represent the prior art. Nevertheless, to expedite prosecution of this application, which has been pending since 1999, applicants are complying with the requirement but maintain their objection to it as improper and even abusive of applicants' rights to an objective and fair examination.

Proposed replacement drawings are submitted herewith under a separate cover letter. The proposed replacement drawing Figures 1-3 are labeled "Prior Art Chassis" to make it clear that the identification of drawing as "prior art" refers to the static image of the vehicle and not to the process of the invention for which the image is referenced.

Paragraph 3 - Objection To Claim 21

Claim 21 has been amended to remove the hyphen between the words "capacity of" at line 10.

Paragraphs 4 And 5 - Section 112, First Paragraph

Claims 64-72 are rejected because the word "container" in the claims is not supported by the description of a "body" in the specification. Applicants object to this rejection as unreasonable in that the word "container" would be immediately recognized by one of ordinary skill in the art to be an alternative expression for the "body" of the specification. Nevertheless, applicants have elected to amend the claims to remove the offending term and replaced it with the term "body," which is of equal scope.

Paragraphs 6, 7 And 8 - Section 112, Second Paragraph

In claims 1, 21, 31, 52 and 60, the phrase "producing the body in accordance with the set of design parameters" has been amended to read "producing the body in accordance with the adjusted set of design parameters." This amendment addresses and overcomes the rejection based on an alleged ambiguity in the claims with respect to whether the phrase is referring to the design parameters before or after they are adjusted.

The Recommendation Of Paragraph 8

In this amendment, claim 1 has been amended to change the phrase “angles or repose” to “angles of material repose.” Applicants appreciate the examiner’s suggestion.

The Prior Art Rejections Of Paragraphs 9-10

Claims 1-7, 12, 19, 21-26, 29, 60-62 and 78-83 are rejected under 35 U.S.C. § 102 (e). None of the claims are rejected under 35 U.S.C. § 103.

Claims 9-18, 20, 28, 30-36, 38, 52-59, 63-77 and 84-87 are not rejected based on prior art. However, these claims have been rejected under 35 U.S.C. § 112 in Paragraphs 3 through 7 of the Office action.

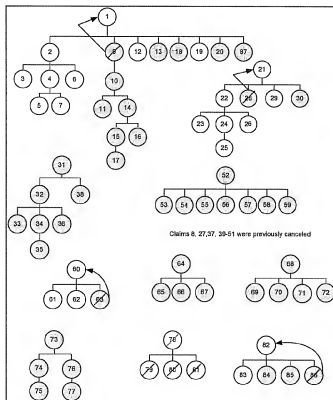
Of the claims not rejected on prior art, claims 31, 52, 64, 68 and 73 are in independent form.

The diagram of the pending claims on page 15 above is reproduced below on page 18 with the objected to claims shaded. For each group of claims whose independent claim has been rejected on prior art, applicants have amended the independent claim to include one of the claims subject to only a Section 112 rejection. Specifically, independent claim 1 has been amended to include the substance of claim 9. Independent claim 21 has been amended to include the substance of claim 28. Independent claim 60 has been amended to include the substance of claim 63. Independent claim 82 has been amended to include the substance of claim 86. The diagram below is marked up to show arrows leading from the canceled dependent claim to the independent claim that has been amended to incorporate the dependent claim’s features.

Independent claim 78 and its dependent claims have been canceled. Applicants are considering presenting claim 78 and its dependent claim in a continuation application for further examination in either their present or amended form.

As in the diagram on page 15, the canceled claim are shown in the below diagram with a diagonal line drawn through them to indicate their canceled status.

With these amendments, the claim set now includes only claims not subject to a prior art rejection. The Section 112 rejections of these remaining claims have been addressed as outlined above.



Concerning the cited prior art U.S. Patent No. 5,887,914, this patent has been extensively discussed and argued in the record. Applicants disagree with the characterization of its teachings in paragraph 12-4 of the Office action as the extensive record in this application demonstrates. However, before appealing any rejections of claims based on a contested interpretation of the '914 patent taken in the Office actions, this amendment is intended to limit the claim set to the claims identified in the Office action as subject only to non-prior art rejections and then address those non-prior art rejections in order to place the application in condition for allowance.

Notice of Related Applications

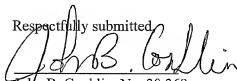
This application is the parent of a continuation-in-part U.S. patent application no. 09/593,647. The '647 application is on the docket of examiner Dwin Craig of Art Unit 2123. As of today's date of August 28, 2007, a final Office action is outstanding, rejecting claim 3-6 and 17 based on 35 U.S.C. § 112, second paragraph. No prior art rejections are outstanding. The remaining claim 2, 7-10 and 15 are allowed. A copy of the Office action, cited reference and the pending claims are separately submitted as an Information Disclosure Statement.

This application is also related to U.S. patent application no. 10/286,095, although there is no formal relationship under 35 U.S.C. § 120. The application has been allowed and matured into U.S Patent No. 7,257,467 on August 14. The separately submitted Information Disclosure Statement includes a citation to this patent.

CONCLUSION

The amendments in this response address all of the rejections of the claims in the Office action mailed March 28, 2007. The application is in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue. If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: August 28, 2007